

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re AbbVie, Inc., et al.	)	
Coordinated Pretrial Proceedings	)	
	)	Case No. 14-cv-1748
	)	
This Document Relates to:	)	Honorable Matthew F. Kennelly
Case No. 14-cv-1483 (Cataudella);	)	
Case No. 14-cv-1298 (Lau); and	)	
Case No. 14-cv-2394 (Parker)	)	

**DEFENDANTS ENDO PHARMACEUTICALS INC.’S, ELI LILLY AND COMPANY  
AND LILLY USA, LLC’S, AND AUXILIUM PHARMACEUTICALS, INC.’S MOTION  
TO JOIN AND SUPPLEMENT DEFENDANTS’ MOTION TO DISMISS COMPLAINTS**

Defendants Endo Pharmaceuticals Inc. (“Endo”), Eli Lilly and Company and Lilly USA, LLC (collectively “Lilly”), and Auxilium Pharmaceuticals, Inc. (“Auxilium”) join in Defendants’ Motion to Dismiss Complaints and the accompanying Memorandum of Law (“Defendants’ Memo”), and adopt and incorporate by reference the factual and legal arguments set forth therein. Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants Endo, Lilly, and Auxilium submit this Motion to Join and Supplement to assert additional legal and factual bases to dismiss the claims in Cataudella (against Endo), in Lau (against Lilly), and in Parker (against Auxilium).

As set forth in the accompanying memorandum of law and attached exhibits, the Court should dismiss with prejudice: (1) Cataudella’s claims against Endo, Lau’s claims against Lilly, and Parker’s claims against Auxilium because each Plaintiff has failed to meet the pleading requirements of Rules 8(a) and 9(b) by failing to allege specific facts against Endo, Lilly, or Parker; and (2) Cataudella’s express and implied warranty claims pursuant to Arizona law, Lau’s express and implied warranty claims pursuant to Florida law, and Parker’s express and implied warranty and negligent misrepresentation claims pursuant to Nevada law.

WHEREFORE Defendants Endo, Lilly, and Auxilium respectfully request that the Court dismiss Cataudella's claims against Endo, Lau's claims against Lilly, and Parker's claims against Auxilium for the reasons set forth above, and in the memorandum of law and attached exhibits accompanying this motion.

Dated: June 4, 2014

Respectfully submitted,

ENDO PHARMACEUTICALS INC.

/s/ Andrew K. Solow

One of Its Attorneys

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**CERTIFICATE OF SERVICE**

I, Andrew K. Solow, an attorney, hereby certify that on June 4, 2014, I caused a copy of the foregoing document to be filed via the Court's CM/ECF system, which will automatically serve and send e-mail notification of such filing to all registered attorneys of record.

/s/ Andrew K. Solow